## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK

GEORGE W. REILLY and VITO GIACHETTI, as Co-Chairmen of the Boards of Trustees of the PLUMBERS LOCAL UNION NO. 1 WELFARE FUND, ADDITIONAL **SECURITY BENEFIT** FUND, VACATION & HOLIDAY FUND, TRADE EDUCATION FUND AND 401(k) SAVINGS PLAN. MARTIN MADDALONI and CHARLES CARLSON, as Co-Chairmen of the Board of Trustees of the PLUMBERS AND PIPEFITTERS **NATIONAL** PENSION FUND, LAWRENCE MAZZOLA and SMITTY BELCHER, as Co-Chairmen of the Board of Trustees of the INTERNATIONAL TRAINING FUND and GEORGE W. REILLY, as Business Manager of LOCAL UNION NO. 1 OF THE UNITED ASSOCIATION OF **JOURNEYMEN** APPRENTICES OF THE **PLUMBING AND** PIPEFITTING INDUSTRY OF THE UNITED STATES AND CANADA,

Plaintiffs.

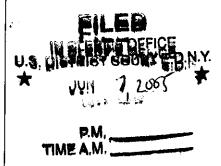
-against-

L.E.S. SUB-SURFACE PLUMBING, INC., LESLIE FISCHER, PHILIP ILLUZZI and WESTERN SURETY,

Defendants.

05 Civ. 0159 (DGT)

## **NOTICE OF DISMISSAL**



PLEASE TAKE NOTICE that, pursuant to Fed. Civ. P. Rule 41(a)(1)(i), the above-captioned action be and hereby is dismissed in its entirety with respect to defendant Western Surety.

Dated: New York, New York May 4, 2005

BARNES, IACCARINO, VIRGINIA, AMBINDER & SHEPHERD, PLLC

By:\_

5/16/05

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Attorneys for Plaintiffs

SO ORDERED:

s/David G. Trager U.S.D.J.